

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

<b>MARGARET E. BARBORKA, Personal</b>	*	<b>Case No. 91137516 (MD) (1)</b>
<b>Representative of the Estate of</b>	*	<b>Case No. 93-3051</b>
<b>JAMES M. BARBORKA</b>	*	
<b>Now Deceased</b>	*	
	*	
<b>and</b>	*	
	*	
<b>MARGARET E. BARBORKA, Individually</b>	*	
<b>and as Surviving Spouse of</b>	*	
<b>JAMES M. BARBORKA</b>	*	
<b>Now Deceased</b>	*	
	*	
<b>Plaintiffs</b>	*	
	*	
<b>v.</b>	*	
	*	
<b>ACandS, INC., et al.</b>	*	
	*	
<b>Defendants</b>	*	
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**MOTION FOR SUBSTITUTION OF PARTIES**

1. Dennis M. Barborka, and Joan M. Perrott, Co-Personal Representative of the Estate of Margaret E. Barborka, and Dennis M. Barborka, Successor Personal Representative of the Estate of James M. Barborka move this Court for an Order substituting them, respectively, in their capacity as Co-Personal Representatives of the Estate of Margaret E. Barborka, Plaintiff herein deceased and as Successor Personal Representative of the Estate of James M. Barborka, Plaintiff's decedent, as Plaintiffs in this action, without prejudice to the proceedings already had in this action and, as grounds therefore states as follows.

2. On November 9, 1994, James M. Barborka, Plaintiff's decedent in the above matter, died. On June 12, 1995, Margaret E. Barborka was duly appointed Personal Representative of

the Estate of James M. Barborka, deceased, by the Register of Wills for Baltimore County, Maryland.

3. On February 12, 2003, Margaret E. Barborka, Plaintiff herein, died.
4. On October 16, 2003, Dennis M. Barborka was appointed Successor Personal Representative of the Estate of James M. Barborka, Plaintiff's decedent herein, by the Register of Wills for Baltimore County Maryland and on November 21, 2003, Dennis M. Barborka and Joan M. Perrott were appointed Co-Personal Representatives of the Estate of Margaret E. Barborka, Plaintiff herein, by the Register of Wills for Baltimore County, Maryland.
5. Dennis M. Barborka is qualified and is now acting as Successor Personal Representative of the Estate of James M. Barborka, Plaintiff's decedent herein. Dennis M. Barborka and Joan M. Perrott are qualified and are now acting as Co-Personal Representatives of the Estate of Margaret E. Barborka, Plaintiff herein.
6. This is an action at law for personal injuries and therefore the claims have not been extinguished by the death of the Plaintiff.

**WHEREFORE**, Dennis M. Barborka, Successor Personal Representative of the Estate of James M. Barborka and Dennis Barborka and Joan M. Perrott, Co-Personal Representatives of the Estate of Margaret E. Barborka, request this Court to substitute them as Plaintiffs herein in place of Margaret E. Barborka..

/s/  
**EVE E. PRIETZ**  
**Bar No. 06071**  
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**(410) 426-3200**

**Attorney for Plaintiffs**

**STATEMENT OF AUTHORITIES**

1. Federal Rules of Civil Procedure Rule 25.
2. United States District Court for the District of Maryland Local Rule 103 (b) and (c).

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/s/

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**Attorney for Plaintiffs**